REMARKS/ARGUMENTS

Claims 1-30 are pending in the application. Claims 11-21, 23 and 24 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0036354 to Lee, et al. (Lee). Claims 1-8 and 25-28 were rejected under 35 U.S.C. as being unpatentable over U.S. Patent Application Publication No. 2003/0228890 to Falaki (Falaki) in view of U.S. Patent Application Publication No. 2004/0092286 to Stattin, et al. (Stattin). Claims 9, 10, 29 and 30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Falaki in view of Stattin. Finally, claim 22 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of U.S. Patent Application Publication No. 2001/0010689 to Awater, et al. (Awater).

A summary of the Lee, Falaki and Stattin references may be helpful here. Lee describes a dual mode Bluetooth/wireless device that has power conservation features. In particular, the device includes a Bluetooth module and a wireless module, such as a CDMA module, both of which have their own clocks and wakeup times. The wireless module clock is synchronized with a CDMA network. When the Bluetooth module and the wireless module are in a deep sleep mode, the device synchronizes the Bluetooth module wakeup schedule to that of the wireless module. This synchronization process is performed in an effort to conserve power.

Falaki describes a frequency division duplex radio access telecommunications terminal that has a transmitter for transmitting a transmission signal at a first frequency. The transmitter is arranged to switch between a peak power mode and a reduced power mode in which the transmission signal is transmitted in the peak power mode. A receiver receives a reception signal at a second frequency different from the first frequency. A controller is arranged to cause a detector to measure the signal strength

of the reception signal while the transmitter is operating in the reduced power mode. The transmission signal is a signal that contains known periodic compressed modes, and the measurement of the reception signal is executed during these compressed modes of the transmission signal (see FIGs. 2A and 2B).

Statti discloses a method and apparatus for monitoring one or more telecommunications systems supported by a wireless device in which the wireless device is connected to one system in an idle mode and is connected to another system in a connected mode. The apparatus includes an air interface, access means (such as a WCDMA transceiver, a GSM receiver and a GSM transmitter) and a circuit that is capable of being set between two different states and connects the air interface to the access means.

When in state A, the circuit provides low attenuation between the air interface and the WCDMA transceiver and the GSM receiver but attenuates any signals from the WCDMA transceiver going to the GSM receiver. When in state B, the circuit provides low attenuation between the air interface and the GSM transmitter but attenuates any signals transmitted from the GSM transmitter going to the WCDMA transceiver. Through this selective attenuation, the WCDMA transceiver and the GSM receiver are permitted to perform idle system monitoring for important information, such as data needed to perform a hand-over between a connected system and an idle system (see paragraph 5 and paragraph 34).

Independent claim 1 has been amended to clarify that the first receiver monitors a channel for asynchronous indicia of energy as part of a clear channel assessment. Similarly, claim 25 has been amended to clarify that the receiver monitors a channel for

asynchronous indicia of energy as part of a clear channel assessment. Support for the amendments can be found on page 3, paragraph 13 and on page 4, paragraph 15.

Notably, the transmission signal that is monitored in Falaki is a periodic or synchronous signal. In direct contrast, the indicia of energy that is monitored in the present invention is asynchronous, which enables the first receiver to monitor for completely random signals. In addition, the monitoring that is performed in Stattin involves the monitoring of signals in an idle mode to permit a hand-over process to occur. The monitoring in the present invention concerns the determination of whether a particular channel is clear, which, if such channel is clear, can permit the transmission of signals over the channel.

Turning to the rejection of claim 11, claim 11 recites that the duration of time is modified as a function, at least in part, of any detected transmissions from other communications units to provide a modified duration of time. Claim 11 also recites that the second receiver is operated in an increased power mode of operation as a function, at least in part, of the modified duration of time. In Lee, the duration of time that is modified, i.e., the wakeup schedule of the Bluetooth module, is modified based on the wakeup schedule of the second receiver, or the wireless module. In addition, the increased power mode of operation for the second receiver, i.e., the wireless module, is based on the clock of the wireless network. That is, the wakeup schedule of the Bluetooth module and the increased power mode of operation of the wireless module have nothing to do with the monitoring performed by the Bluetooth module, i.e., first receiver.

Claim 21 recites that a transmission scheduler can determine a next-scheduled transmission time as a function, at least in part, of the first receiver's monitoring of the

communication channel. Claim 21 also recites that a controller can use the next-scheduled transmission time to determine when to switch the second receiver from the second mode of operation to the first mode of operation. As a result, the switching of the second receiver from the second mode of operation to the first mode of operation is based, at least in part, on the first receiver's monitoring of the communication channel. Again, similar to the discussion above with respect to claim 11, the operation of the second receiver, i.e., the wireless module, in Lee has nothing to do with the monitoring performed by the first receiver.

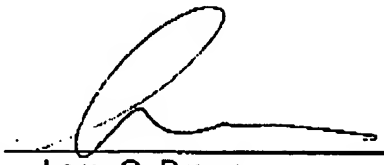
In view of the above, Applicants now believes that independent claims 1, 11, 21 and 25 are patentable over the prior art. Applicant also believes that those claims that depend from independent claims 1, 11, 21 and 25 are patentable, both based on their dependencies on the independent claims and their patentability on their own. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

By: 

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